

To: Laidlaw, Tina[Laidlaw.Tina@epa.gov]
From: Suplee, Michael
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Subject: text

Since the basis of this type of individual variance is related to the economic status of a community or permittee, or to the limits of technology, at each triennial review the Department will consider if the basic economic status of that community or permittee, or the limits of technology, has substantially changed. The same parameters used to justify the original individual variance will be considered. If new, low-cost nutrient removal technologies have become widely available, or if the economic status of the community or permittee has sharply improved, the basis of the variance may no longer be justified. In such cases the Department will discuss with the permittee the options going forward including, but not limited to, a new, more stringent highest attainable condition, a permit compliance schedule, trading, reuse, recharge, land application, or a general variance.